

U.S. Department of Justice



United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

February 10, 2012

Hon. Frederic Block
United States District Court
Brooklyn Federal Courthouse
225 Cadman Plaza, East
Brooklyn, New York 11201

Re: United States v. Espada, et al.
Cr. No. 10-985 (S-1)(FB)

Dear Judge Block:

We write to ask the Court to address the following issues at today's status conference.

Trial schedule. We request that the Court ask defense counsel whether they seek an adjournment of trial. On Tuesday of this week, Ms. Necheles informed your Courtroom Deputy that the defense was reluctant to have the Court send out jury summonses for two reasons: (1) the government's Curcio motion would require the defendant Pedro Espada and Soundview to consult with independent counsel; and (2) the defense's pretrial motions were substantial.

Motion Schedule. The motion schedule may have to be adjusted because defense counsel filed their pretrial motions late. The parties' motions were due on Monday February 6, 2012, and the government filed its in limine motion on time. On Tuesday, defense counsel advised that they were mistaken about the due date, and filed their motions close to midnight on Wednesday. The government will try its best to keep to our original response date, but may need an additional day or two.

Curcio. In a letter dated February 7, 2012, the government informed the Court of several Curcio issues. We ask that the Court inquire of Ms. Necheles whether she is taking steps to arrange for her client to consult with independent counsel.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/
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cc: Defense counsel (by ECF)